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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

January 31, 2005

DONALD J. LEWIS,
JOHN D. RUSSELL and
NATE TRASK

Serial No.: 10/805,651

Group Art Unit: 3747

Filed : March 19, 2004

Examiner: Arnold Castro

For : QUICK STARTING AN ENGINE WITH ELECTROMECHANICAL
VALVES

<input checked="" type="checkbox"/> CERTIFICATE OF MAILING OR TRANSMISSION (37 C.F.R. §1.8(a)). I hereby certify that this correspondence is, on the date shown below, being:		
MAILING <input checked="" type="checkbox"/> addressed to "Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 and deposited with the United States Postal Service with sufficient postage as first class mail; or	FACSIMILE <input type="checkbox"/> Transmitted by facsimile to the Patent and Trademark Office at Fax No: _____	
<u>5+</u> Total No. Pages	<u>1-31-05</u> Date	<u>Lauren Barberena</u> Lauren Barberena

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

☐ 37 C.F.R. § 1.97(b)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief:

- (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); or
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
- (3) before the mailing of a first Office action on the merits; or
- (4) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

☒ 37 C.F.R. § 1.97(c)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, before the mailing of any of: a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

☒ A check in the amount of \$180.00 is enclosed.

☐ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account ____.

☐ 37 C.F.R. § 1.97(d)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, on or before payment of the issue fee.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

☐ A check in the amount of _____ is enclosed.

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CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

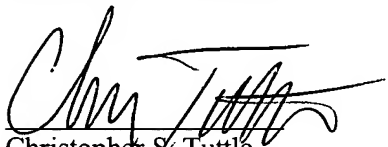
The present information disclosure statement includes any information noted above, along with a Form PTO-1449 (2 pages).

If applicable, a legible copy of the following is being included:

- (1) Each U.S. patent (identified by inventor, patent number, and issue date).¹
- (2) Each U.S. patent application publication (identified by inventor, publication number, and publication date).¹
- (3) Each U.S. patent application (identified by inventor, application number, and filing date).²
- (4) Each foreign patent or published foreign patent application, along with an English language abstract for all non-English foreign patent documents (identified by country or patent office, an appropriate document number, and the publication date).
- (5) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication).

If there are any questions regarding this submission, please contact the undersigned.

Respectfully Submitted,



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1/31/2005

¹ No copies are included for applications filed after June 30, 2003 as provided for by the U.S. PTO Waiver dated July 11, 2003.

² No copies are included for U.S. patent applications stored in the USPTO's IFW system as provided for by the U.S. PTO Waiver dated September 21, 2004.



PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/805,651
Filing Date	March 19, 2004
First Named Inventor	Donald J. Lewis
Art Unit	3747
Examiner Name	Arnold Castro
Attorney Docket Number	81092775

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,865,088	02-11-1975	Links	
		US- 4,976,228	10-13-1989	Kawamura	
		US- 5,190,013	01-10-1992	Dozier	
		US- 5,442,515	11-23-1994	Wallaert	
		US- 5,617,829	11-20-1995	Bidner et al	
		US- 6,178,934	11-04-1999	Hirawawa et al	
		US- 6,216,652	03-27-2000	Gramann et al	
		US- 6,333,843	12-15-2000	Boie et al	
		US- 6,363,907	10-11-2000	Arai et al	
		US- 6,367,437	03-02-2001	Nakamura et al	
		US- 6,382,193	11-20-2000	Boyer et al	
		US- 6,401,684	12-15-2000	Hori et al	
		US- 6,460,500	09-11-2000	Ooyama et al	
		US- 6,505,113	10-22-2000	Eichensener et al	
		US- 6,526,745	11-24-2000	Ogiso	
		US- 6,546,910	03-19-2001	Tanaka et al	
		US- 6,647,947	03-12-2002	Boyer et al	
		US- 6,736,121	06-04-2002	Surnilla	
		US-			

FOREIGN PATENT DOCUMENTS

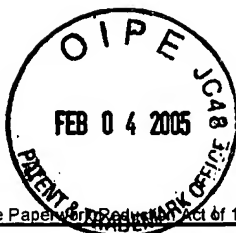
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Filing Date	March 19, 2004		
		First Named Inventor	Donald J. Lewis		
		Art Unit	3747		
		Examiner Name	Arnold Castro		
Sheet	2	of	2	Attorney Docket Number	81092775

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KLUTING, FLIERL, GRUDNO and LUTTERMANN; MTZ Magazine, August 1999, "Drosselfreie Laststeuerung miy vollvariablen Ventiltrieben"	✓

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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